

Washington State Onsite Wastewater Rule Development Committee

October 7 and 23, 2003

SeaTac Occupational Skills Center
18010 8th Avenue South
SeaTac, Washington
(Meetings # 14 and 15 notes)

Attendance

<i>Representation</i>	<i>Members / Alternates</i>	2/13	3/28	5/22	7/17	9/19	10/24	12/12	1/23	3/13	4/24	5/6	6/18	7/23	10/7	10/23
WA Assoc of Realtors	Slough, Frederick	+	+	+	+		+			+	+					
	Stout, Larry		+										+			
Building Industry of WA	Stanton E.C. (J. Slavik)	+	+	+		+		+		+		+	+	+		
	Kunkel, Jenn	+		+	+	+	+	+	+	+	+	+	+	+	+	
On-Site Wastewater Designer	Wecker, Steve	+	+	+	+	+		+	+	+	+	+	+	+	+	+
	Lombardi, Pete	+					+	+		+			+	+	+	+
On-Site Wastewater Installer	Stuth, Jr., Bill	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	Stonebridge, Jerry	+														
Certified Proprietary Device Specialist	Garrison, Carl	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	Morris, Mike															
OSS Pumper/O&M Specialist	Tacia, Reed	+	+	+	+	+	+	+	+	+	+	+		+	+	+
	Markle, Steve	+	+			+	+	+	+	+	+	+		+	+	
Proprietary Products At-Large	Patterson, Jim	+	+	+		+	+	+	+	+	+	+	+	+	+	+
Planning WA Assoc of Counties	Shuttleworth, Mike		+	+	+	+	+		+	+				+	+	+
Local Health Jurisdictions (Westside-Urban)	Deeter, Jerry	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	Starry, Art	+			+		+		+			+		+	+	+
Local Health Jurisdictions (Westside-Rural)	Higman, Keith		+				+	+		+					+	+
	Fay, Larry	+			+		+	+							+	
Local Health Jurisdictions (Eastside-Urban)	Perkins, Bruce		+	+					+	+	+	+	+	+	+	+
	Dawson, Rick	+	+	+	+	+	+		+	+	+	+	+	+	+	+
Local Health Jurisdictions (Eastside-Rural)	Barry, Kevin	+	+	+	+	+	+		+	+	+	+	+	+	+	+
	Wolpers, John															
Soil Scientist	Cogger, Craig						+	+	+	+			+	+	+	+
	Hermann, C			+												
Puget Sound Water Quality Action Team	Hull, Terry	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Indian Health Services	Dalton, Robin	+	+	+	+	+										
WA Shellfish Industry	Dewey, Bill			+	+	+	+		+	+	+	+	+	+	+	+
	Taylor, Bill					+		+								
WA Dept of Ecology	Kimsey, Melanie		+		+	+	+		+		+	+	+	+	+	+
	Shaleen-Hansen, Mary	+					+									
WA Assoc of Water & Sewer Dist	Hart, James		+	+		+						+	+			+
	Wiggins, Margaret	+	+							+	+					
Consumer	Smith, Denise	+	+	+	+	+	+		+		+	+	+	+	+	
	Salkind, Mark	+	+	+		+	+	+	+	+	+	+	+	+	+	
WA Dept of Health	Soltman, Mark	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
People for Puget Sound	Wishart, Bruce															
WA Public Utilities Districts	Kukuk, Ken															
	Robertson, Robbie															
Professional Engineer	Yuhl, Mike	+	+	+		+	+	+		+	+	+	+	+	+	+
Tribal Government	McMurtrie, Doug	+	+	+	+	+	+		+	+	+	+	+	+	+	

+ Present at meeting, **Members and Alternates**

Washington State Onsite Wastewater Rule Development Committee
October 7 and 23, 2003

Agenda

October 7, 2003

SeaTac Occupational Skills Center
18010 8th Avenue South
SeaTac, Washington

Time	Agenda Item	Outcome	Lead
9:00	Welcome		Maryanne Guichard
9:10	Agenda Review/		Eric Svaren
9:15	Minimum Land Area/ Nitrogen	Decisions on Proposals	
11:45	Lunch		
12:15	Operation, Monitoring, and Maintenance	Decisions on Proposals	
2:45	Wrap-up		Eric Svaren
3:00	Adjourn		

Washington State Onsite Wastewater Rule Development Committee
October 7 and 23, 2003

Agenda

October 23, 2003

SeaTac Occupational Skills Center
18010 8th Avenue South
SeaTac, Washington

Time	Agenda Item	Outcome	Lead
9:00	Welcome		Maryanne Guichard
9:10	Agenda Review/		Eric Svaren
9:15	Product Registration & Development	Decisions on Proposals	
11:45	Lunch		
12:15	Drainfield Sizing	Decisions on Proposals	
2:45	Wrap-up		Eric Svaren
3:00	Adjourn		

Washington State Onsite Wastewater Rule Development Committee
October 7 and 23, 2003

On October 7 and 23rd the RDC discussed and voted on the following proposals submitted by members as suggestions for revision to the August 15th draft rule revision on WAC 246-272. Each proposal was discussed and voted whether to approve (green card), to reject (red card), or “can live with it” (yellow card). Revisions to the draft rule will reflect the proposals accepted by a 2/3 majority of the voting RDC members (or their alternates) present at these meetings.

<p style="text-align: center;">Decisions on proposed draft language changes: Minimum Land Area/ Nitrogen Voted on October 7, 2003 (RDC members present 20)</p>			
Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = “Can live with it” Red = Reject
Bruce Perkins and Rick Dawson	#1: Add Nitrogen to subsection number (2) (d) iii (B) ((D)	Rejected	Green 0, Yellow 1, Red 19.
J. Mark Soltman	#2: Add the following after 246-272A-0230 (3): When proposing an OSS in an area identified by the local health officer as a nitrogen sensitive aquifer or marine embayment, the system design shall include nitrogen removal treatment tested to meet or exceed treatment level N, or other engineering justification.	Rejected	Green 11, Yellow 2, Red 7.
Ed Stanton	#3: Subsection 246-272A-0320: Change Table X back to the original Table VII, and maintain the existing minimum lot sizes required by Table VII. Additional change: Minimum lot size for Method 2 should be changed to allow 9,500 sq ft as long as the system, reserve and house can fit on the lot.	Rejected	Green 1, Yellow 0, Red 19.

<p>Decisions on proposed draft language changes: Minimum Land Area/ Nitrogen Voted on October 7, 2003 (RDC members present 20)</p>			
Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = "Can live with it" Red = Reject
Stephen Wecker & Carl Garrison	#4 & 5: Leave Table X as it was. No change to lot size requirements.	Rejected	Green 7, Yellow 2, Red 11.
J. Mark Soltman	#6: Subsection –0320(2): (2) Method II (XIV) Types of proposed systems or designs, including the use of systems designed for removal of nitrogen; (XVI) Estimated nitrogen loading from OSS effluent to existing ground and surface water.	Approved	Green 13, Yellow 3, Red 3. (n = 19) One of the 20 members was late.
Bruce Perkins and Rick Dawson	#7: Subsection number (2) b: Remove and replace with: Where a subdivision with individual well is proposed areas for well shall be indicated on the plat including within the title documents.	Withdrawn	
Carl Garrison	#8: Subsection 246-272A-0320: (3) Change: Nitrogen removal should be _____. P57 Drop (3), it will already be reviewed at the discretion of local health. The terms shall and discretion don't belong together. Table X should be dropped in favor of the old standards.	Withdrawn	

<p>Decisions on proposed draft language changes: Minimum Land Area/ Nitrogen Voted on October 7, 2003 (RDC members present 20)</p>			
Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = "Can live with it" Red = Reject
Stephen Wecker	# 9: Subsection 3: Omit	Approved	Green 17, Yellow 2, Red 1.
Bruce Perkins and Rick Dawson	#10: Subsection 3: reduce density to ½ acre.	Withdrawn	
J. Mark Soltman	#11: Subsection –0320 (7): Modify the proposed subsection (7) to read: (7) The use of a reduced size drainfield does not provide for a reduction in the minimum land area requirements established in the section. Site development incorporating reduced-sized drainfields, as provided in 246-272A-0236, must meet the minimum land area requirements established in state and local codes.	Approved	Green 20.
Bruce Perkins and Rick Dawson	#12: Subsection (7): Remove	Withdrawn	

Decisions on proposed draft language changes:

Operation, Monitoring and Maintenance

Voted on October 7, 2003 (RDC members present 20)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = "Can live with it" Red = Reject
Bruce Perkins and Rick Dawson	#1: Subsection (1) b.i. : Should read: Maintain an inventory of all known OSS in operation within the jurisdiction.	Rejected	Green 6, Yellow 5, Red 9.
Bruce Perkins and Rick Dawson	#2: Subsection (1) b. ii. : Should read: When identified areas may be established that require additional requirements for siting, operation maintenance and monitoring.....	Approved	Green 10, Yellow 3, Red 7.
Art Starry	#3: Subsection 246-272A-0015 (1)b.ii & (1) b.iii : (ii)Evaluate and identify those areas and systems where OSS pose an increased public health risk that may require additional requirements for siting and operations and maintenance. The following areas shall be given priority in this activity; (iii)Define operation, maintenance and monitoring requirements that are commensurate with risks posed OSS within the geographic areas evaluated in subsection (ii) of this section and the complexity of the onsite systems; and	Approved	Green 15, Yellow 4, Red 1.
Jim Patterson	#4: Subsection (1)b(iv)2 : Change to read "Maintain records of all operation and maintenance activities as identified, and report to DOH quarterly by system type, both the number of systems monitored (reported by O&M Specialists) and number of permits issued as required by 246-272A-0280(2). In order to improve industry standards and performance, DOH will publish a compilation of these system data semiannually on the Department Web site for reference by local health officers and vendors.	Rejected	Green 4, Yellow 3, Red 13.

Washington State Onsite Wastewater Rule Development Committee October 7 and 23, 2003

Decisions on proposed draft language changes:

Operation, Monitoring and Maintenance

Voted on October 7, 2003 (RDC members present 20)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = "Can live with it" Red = Reject
Bill Dewey	#5: Subsection (1)b.iv Add a new paragraph 3. to this subsection which describes LHJ capacity: 3. Enforce OSS owner permit application, operation, monitoring and maintenance and failure repair requirements defined in WAC 246-272A0200 (1), 246-272A-0270, 246-272A-0275 and 246-272A-0280(1) and (2).	Approved	Green 15, Yellow 3, Red 2.
Bill Dewey	#6: Subsection (1)b.iv : Describe the capacity of the local health jurisdiction to assure adequate operation, monitoring and maintenance of all known onsite sewage systems including the ability to:	Approved	Green 19. N =19 (1 member left early)
Bruce Perkins and Rick Dawson	#7: Subsection (1) b. iv. : Delete	Withdrawn	
Bill Dewey	#8: Subsection: (3) b: (3) Obtain and renew a service contract for maintenance and monitoring of the OSS.	Approved	Green 20.
Bruce Perkins and Rick Dawson	#9: Subsection (7) : Should be returned to read: The local health officer may stipulate additional requirements for a particular permit if necessary for public health protection.	Approved	Green 13, Yellow 2, Red 3 (2 did not vote)
Stephen Wecker	#10: Subsection 1-a : Require access to grade on all tanks.	Approved	Green 5, Yellow 10, Red 5.

Washington State Onsite Wastewater Rule Development Committee October 7 and 23, 2003

Decisions on proposed draft language changes:

Operation, Monitoring and Maintenance

Voted on October 7, 2003 (RDC members present 20)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote Green = Approve Yellow = "Can live with it" Red = Reject
Carl Garrison	#11: Subsection 246-272A-0238: Should be covered in list of approved products. Define access manholes & sizing criteria. Where event counters & elapsed time meters are required, O&M reports should be required to report that data.	Withdrawn	
Bruce Perkins and Rick Dawson	#12: Subsection: (1) d: Change to: Require a notice to title to be filed indicating that an OSS is in use on the property and the owner is responsible for operation and maintenance in accordance with WAC 246-272A-0270 prior to final approval of any onsite system.	Approved	Green 10, Yellow 9, Red 1.
Jim Patterson	#13: Subsection (1), (b), (c) CHANGE TO: (b)Obtain and renew contracts for periodic maintenance where required by the local health jurisdiction. – and; - (c) Obtain and renew operation permits where required by the local jurisdiction.	Withdrawn	
Carl Garrison	#14: Subsection 246-272A-0270 : Report event readings, drawdowns, etc if required to be in designs.	Withdrawn	
Ed Stanton	#15: Subsection 246-272A-0340 : Only individuals trained by the manufacturer are qualified to perform Operation & Maintenance on those specific systems. The state is not allowed to make changes to systems which have been licensed by NSF or other testing agencies.	Rejected	Green 0, Yellow 1, Red 18. N =19 (1 member left early)

Decisions on proposed draft language changes:

Product Registration and Development

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Jim Patterson	#1: Subsection 246-272A-0100: Delete, "Treatment Levels used in these rules are not intended to be applied to individual sites as compliance standards."	Rejected	Green 6, Yellow 0, Red 12.
Steve Wecker	#2: Subsection 246-272A-0120: add requirement that the department provide an "approved for use" listing.	Withdrawn	
Jim Patterson	#3: Subsection 246-272A-0120: Change to read "...shall have product testing conducted by a certification program accredited by American National Standards Institute (ANSI) or other appropriately certified laboratory such as those accredited by the Washington Department of Ecology. ...	Rejected	Green 5, Yellow 0, Red 13.
Jim Patterson	#4: Subsection 246-272A-0120:	Withdrawn	

Decisions on proposed draft language changes:

Product Registration and Development

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
J. Mark Soltman	#5: Subsection 246-272A-0120 (5): Table III Values for Level N are derived from a 90 day average <u>the full test average</u> . Test results must establish product performance effluent quality meeting Level N, above presented as a 90 day average <u>the full test average</u> .	Approved	Green 18
Jim Patterson	#6: Subsection 246-272A-0125 Delete: (c) "Test results for BOD ₅ may be submitted in lieu of test results for CBOD ₅ ..." Proposal was modified to include the following conversion formula: BOD ₅ X 0.83 = CBOD ₅	Approved	Green 18
Jim Patterson	#7: Subsection 246-272A-0125 (m) (4) (b)	Withdrawn	
Jim Patterson	#8: Subsection 246-272A-0126 (1) Add, "For ultraviolet lamp testing, the following parameters/constituents will be tested and reported at each occasion of sampling for fecal coliform: effluent flow rate, pH, temperature, color and turbidity.	Approved	Green 18
Stephen Wecker	# 9: Subsection 246-272A-0125 add requirement that the department provide (changed to maintain) an "approved for use" listing.	Approved	Green 10, Yellow 3, Red 5.

Decisions on proposed draft language changes:

Product Registration and Development

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Carl Garrison	# 10; Subsection 246-272A-0140 (4) & (5)	Withdrawn	
Carl Garrison	#11; Subsection 246-272A-0170 Determine who is responsible for long term viability of the system.	Withdrawn	
Jerry Deeter	# 12: Subsection 246-272A-0170 PDP's should be under the purview of State DOH, not local health.	Withdrawn	
Jim Patterson	# 13: Subsection 246-272A-0170 (2) (c) Add (iv) Financial assurance is not required if the site is served by a conforming onsite system, or the owner provides assurance in writing....	Withdrawn	
Jim Patterson	#14: Subsection 246-272A-0170 (5) Add, "Notwithstanding the proprietary nature of the performance data, the product developer will inform the health officer of any operating conditions or test results that have or will be likely to exceed the TL required...	Withdrawn	
Jim Patterson	# 15: Subsection 246-272A-0170 (6) Change " A PDP is valid for one year or the duration of the test program provided by the product developer and approved by the health officer. A PDP may be renewed by the health officer."	Rejected	Green 7, Yellow 4, Red 7.

Decisions on proposed draft language changes:

Product Registration and Development

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
J. Mark Soltman	# 16: Subsection 246-272A-0234 (5) Add the following to the types of gravelless drainfield systems:	Withdrawn	
Jerry Deeter	# 17: Subsection 246-272A-0234 (5) (c) Eliminate item "c"	Withdrawn	
Carl Garrison Stephen Wecker	# 18: and # 19: Subsection 246-272A-0234 (Combined proposals) Drop the section – it belongs in guidelines.	Approved	Green 16 Yellow 2 Red 0 (n=16)

Decisions on proposed draft language changes:

Drainfield Size Reduction

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Art Starry	# 1: Subsection 246-272A-0236 (1)	Withdrawn	
Bruce Perkins & Rick Dawson	# 2: Subsection 246-272A-0236 (3)	Withdrawn	
Carl Garrison	# 3: Subsection 246-272A-0236 (1) (a)	Withdrawn	
Jerry Deeter	# 4: Subsection 246-272A-0236 (1) Eliminate this section and leave in guidance. Manage/implement through the waiver process. (Changed to strike section). (Approval to strike from the rule affects all the proposals regarding drainfield sizing. The drainfield size issue will remain in guidance.)	Approved	Green 11, Yellow 3, Red 4.
Carl Garrison	# 5: Subsection 246-272A-0236	Withdrawn	

Decisions on proposed draft language changes:

Drainfield Size Reduction

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Bruce Perkins & Rick Dawson	# 6: Subsection 246-272A-0236 (1) c	Withdrawn	
Stephen Wecker	# 7: Subsection 246-272A-0236 (2)	Withdrawn	
Jim Patterson	# 8: Subsection 246-272A-0236 (1)	Withdrawn	
Melanie Kimsey	# 9: Subsection 246-272A-0236 (2) (v)	Withdrawn	
Stephen Wecker	# 10: Subsection 246-272A I don't see where the treatment level "D" is used in the regulations.	Postponed to definitions section.	

Washington State Onsite Wastewater Rule Development Committee October 7 and 23, 2003

Decisions on proposed draft language changes:

Miscellaneous

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Jim Patterson	# 21: Subsection 246-272A –0020 (6) – (b) Delete; (b) Any Large Onsite Sewage System for which Jurisdiction has been transferred to a local health jurisdiction from the department by contract."	Rejected	Green 2, Yellow 2, Red 11. (n=15, 3 members left meeting)
Bruce Perkins and Rick Dawson	# 22: Subsection 246-272A –0025 (4) Should read: Local Boards of Health Shall require new developments to connect to a public sewer system when...	Rejected	Green 4, Yellow 2, Red 12.
Steve Wecker	# 28: Subsection 246-272A –0200 (1) xii Change signature of applicant to owner and add need for signature of designer.	Approved	Green 15, Yellow 1, Red 0. (n=16)
Bruce Perkins and Rick Dawson	# 33: Subsection 246-272A –0210 Table IV Delete "Non-public" from non-public well of suction line	Approved	Green 11, Yellow 4, Red 1.
Jerry Deeter	# 34: Subsection 246-272A –0210 Eliminate newly added last row of table concerning "down-gradient cuts or banks..."	Approved	Green 18.
Bruce Perkins and Rick Dawson	# 36: Subsection 246-272A –0220 (1)	Withdrawn	
Art Starry	# 39: Subsection 246-272A –0220 The local health officer or department shall permit only professional engineers, designers and soil scientists to perform soil and site evaluations, except: (a) Where the local health officer performs the soil and site evaluation.	Approved	Green 15, Yellow 3, Red 0.

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Decisions on proposed draft language changes:

Miscellaneous

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Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
Bruce Perkins and Rick Dawson	# 46: Subsection 246-272A –0230 (2)(e) Table VI Add a footnote to soil type 2 to allow gravity distribution when: Annual precipitation in the region is less than 25 inches per year ...	Not approved – not enough information.	No vote
Bruce Perkins and Rick Dawson	# 52: Subsection 246-272A –0260 (1) a Change to: Visit the OSS site one or more times as may be considered needed during the site evaluation and final construction.	Rejected	Green 6, Yellow 3, Red 9.

Decisions on proposed draft language changes:

Definition Proposals

Voted on October 23, 2003 (RDC members present 18)

Proposer's Name	Proposal Number (Refers to August 15 draft of the revised rule 246-272)	Decision of the RDC	Vote (Green = Approve Yellow = "Can live with it" Red = Reject)
	# 14: and # 24:	Approved	Green 17, Yellow 1, Red 0.
	# 63:	Approved	Green 16, Yellow 3, Red 0.
	#4:	Approved	Green 18
	#6:	Not decided refer to definitions comm.	

The RDC agreed to form a sub-committee to address the remaining proposals regarding definitions. The following members agreed to participate: Mike Yuhl, Mark Soltman, Terry Hull, Jerry Deeter and Steve Wecker.